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**Subject:** EPA Mid-Atlantic Region Headlines - Monday, March 11, 2019

# EPA Mid-Atlantic Region Headlines

Monday, March 11, 2019

## \*\*\* DAILY HOT LIST \*\*\*

### Exelon, MD spar over who is responsible for nutrients passing over dam

CHESAPEAKE BAY JOURNAL A Maryland official called the pending relicensing of Conowingo Dam a “once in a generation” chance to hold its owners accountable for the environmental impacts the 94-foot-high structure has on the Susquehanna River and Chesapeake Bay. But a representative of Exelon, the utility that owns the hydroelectric facility, said it had already pledged more than \$300 million to mitigate the dam’s impacts over the coming decades and the state was trying to force it to pay billions more to fix problems it didn’t cause. Most of the recent debate between the two parties has taken place in court since Exelon sued Maryland last May over conditions the state sought to place on the company’s request for a new 46-year operating license. But representatives from each side also sought to make their case in public at a January meeting of the Chesapeake Bay Commission, a body of state lawmakers and other officials that advise general assemblies in the Bay region. The 91-year-old hydroelectric dam is located in Maryland about 5 miles south of the Pennsylvania border and 10 miles upstream from where the Susquehanna flows into the Bay. The dam looms as a major obstacle for Bay cleanup efforts, largely because the 14-mile reservoir it creates has reached its capacity to trap sediment from upstream sources that flows down the river. As a result, the nutrients associated with that sediment now flow into the Chesapeake, where they can spur algae blooms and contribute to other water quality woes. The state-federal Bay Program partnership has estimated that additional annual reductions of 6 million pounds of nitrogen and 260,000 pounds of phosphorus are needed to offset the impact of the dam’s lost trapping capacity. That would be roughly an additional 5 percent reduction for a river where upstream nutrient control efforts in Pennsylvania are already far behind schedule. The U.S. Environmental Protection agency in February began requesting applications from entities interested in developing a plan to tackle the problem...

### Baltimore lawmakers push legislation to get tougher on lead poisoning

BALTIMORE SUN (Saturday) With hundreds of children still poisoned by lead each year in Baltimore, city lawmakers are pushing for a series of bills in Annapolis to get tougher on landlords, sue lead paint companies, conduct better state investigations and fix lead-contaminated school drinking fountains. On Friday, Baltimore’s House delegation voted to endorse two proposals to try to curb lead poisoning: one that would tighten restrictions to try to make sure landlords aren’t renting properties with chipping lead paint and another that would open up lead paint companies to lawsuits to pay for remediation programs. Del. Nick J. Mosby and Sen. Jill P. Carter, both of West Baltimore, are sponsoring legislation that would permit lawsuits in Baltimore courts against manufacturers of lead paint whether or not a specific company’s product can be proved to have poisoned a specific person. Such legislation has been introduced — and killed — repeatedly in Annapolis over the past two decades, in the face of staunch industry opposition. But Mosby said Friday that he will continue to push for the legislation every year while he’s in office. While the number of lead poisoning cases has fallen significantly since 2002, thousands of Maryland children have been poisoned in the past decade, their brains exposed to a contaminant that causes lasting learning and behavioral problems. In 2017 alone,

2,049 Maryland children younger than 7 tested positive for lead poisoning — including 789 kids from Baltimore. “Young children in the city of Baltimore are still being impacted by lead paint poisoning. It’s unconscionable. .... It’s something we need to address,” Mosby said. “It’s not for us to decide. It’s for us to allow the court to decide. The manufacturers of lead paint have not paid a penny.” The city’s House delegation also voted unanimously to back a bill sponsored by Baltimore Del. Samuel I. Rosenberg that would disallow a landlord from repossessing property for failure to pay rent unless the property owner has provided documented proof it is free of chipping lead paint...

## Air Pollution: Rule scraps continuous monitoring obligation at power plants

GREENWIRE (Friday) States will no longer have to require power plants and other large polluters to track their summertime releases of nitrogen oxides through "continuous emission monitoring systems," under an EPA rule that takes effect today. The final rule, which makes only minor changes to the proposal unveiled last September, scraps a mandate that dates back to a Clinton administration program for states to curb emissions of nitrogen oxides (NOx) that contribute to downwind ozone formation outside their borders. The program, known as the NOx SIP Call, applied to 20 states, mostly in the eastern U.S., as well as the District of Columbia. Under the new rule, those states have the option of dropping the continuous monitoring requirement in favor of unspecified alternatives. EPA predicts that the move could save affected industries a total of \$1.2 million to \$3.3 million annually without affecting emissions or air quality. The change appears to have originated in a 2017 claim by the Association of Air Pollution Control Agencies, which mainly represents regulators in Republican-leaning states, that the continuous monitoring requirement was "overly burdensome" and costly to businesses outside the power sector (*E&E News PM*, Sept. 14, 2018). Clint Woods, the association's executive director at the time, is now deputy chief of EPA's air office...

## EPA advisers blast draft soot assessment

GREENWIRE (Friday) An EPA advisory panel has issued a scathing critique of a draft agency assessment that had offered support for tightening national ambient air quality standards for fine particulates. In a preliminary report posted online yesterday, the Clean Air Scientific Advisory Committee said that the draft assessment failed to look comprehensively at all available research and did not follow "widely accepted scientific methods for deriving sound, independently verifiable, scientific conclusions from available data." The draft also lacked "scientific support for policy deliberations and decision-making" and used "unverifiable opinions to draw major policy-relevant conclusions," according to the preliminary report. The seven-member committee, usually known by its acronym, CASAC, urged EPA to produce a second draft. The panel has scheduled a public teleconference for March 28 to discuss the preliminary report, described as "a work in progress." In an email exchange last night, CASAC Chairman Tony Cox said the document is not final until committee members approve and send it to EPA Administrator Andrew Wheeler...

## Eastern Shore Native Becomes Head of Maryland DNR

WBOC-TV SALISBURY / DELMARVA ANNAPOLIS, Md. - Just in time for International Women’s Day, an Eastern Shore native is now the leader of Maryland’s Department of Natural Resources (DNR). Jeannie Haddaway has been appointed the new DNR secretary - the largest government agency in the state. She isn’t new to the state - Haddaway was once a Maryland delegate, representing several mid-shore counties for more than 12 years. Haddaway was also a candidate for Lieutenant Governor, serving alongside candidate David Craig in the 2014 Governor’s race. As Maryland DNR’s first female secretary, her duties cover everything from state parks management to Chesapeake Bay restoration. On Friday, a board of green ‘YES’ votes sprawled across the Senate board, ending in a vote 45 to 1 in favor of the Talbot County native’s position to lead DNR. The one ‘NO’ vote came from Democratic Senator Paul Pinsky of Prince George’s County, who cited concerns with Haddaway’s involvement in department staffing and using fact-based science. But watermen like Rob Newberry, who sat in Senate Chambers on Friday, are standing by Haddaway. “She’s always been fair,” Newberry said. “At the end of the day, the truth of the science will prevail and I’m sure she’ll carry that forward as the new Secretary of DNR.” Eastern Shore scientists also say they’re ready to continue a strong relationship with the former delegate. “With Secretary Haddaway, we’ve known her for a long time, so it just makes the relationship that much smoother,” Dave Nemazie, a UMCES scientist, said. Environmentalists also from the Eastern

Shore say they're excited to see Haddaway take on the new role. "Moving forward she'll continue good work with the department and hopefully with a special spotlight on the Eastern Shore," Matt Pluta, a riverkeeper with the ShoreRivers organization in Easton, said. Haddaway said in a statement that she was grateful for the overwhelming support. Friday's vote is an official induction for Haddaway, who started her duties last month.

## Column: State investments continue, rivers come off the 'dirty waters list'

**RICHMOND TIMES-DISPATCH** For years, a movement to clean up waterways has been underway across Virginia. Science repeatedly shows that it's making progress, as recently evidenced by the 362 miles of rivers and streams just removed from Virginia's "dirty waters list." And this movement has broad bipartisan support, leading to a big boost from the General Assembly in the session that just wrapped up. At first look, the movement's many actions seem unrelated: Outside Waynesboro, a farmer fences cattle out of a stream and plants native trees along the waterway. In Richmond, the city's wastewater treatment plant installs upgrades that keep excess nitrogen and phosphorus from polluting the James River. Near Williamsburg, James City County officials build a rain garden and construct wetlands in a neighborhood once plagued by flooding and polluted runoff. But those incremental efforts are combining to result in healthier streams and rivers, and water quality improvements in the Chesapeake Bay. They're part of what could be a great environmental success story: the Chesapeake Clean Water Blueprint, a focused multistate effort to clean up the region's waterways. Beyond clean water, the numerous benefits include revitalized communities, support for local economies, human health benefits, climate change mitigation, and better fishing, boating and swimming... While the investments Virginia has made so far have led to measurable benefits, there's a long road ahead to restoring these waterways. Some of the biggest challenges remain, such as reducing polluted runoff from developed areas and farms. Local governments and Soil and Water Conservation Districts in Virginia have been working hard to develop future restoration efforts with DEQ in their local clean water plans, known as Phase III Watershed Implementation Plans. This will be critical to continuing a trend toward clean water in the commonwealth. That's why it's great news that Virginia's elected officials are supporting programs that tackle these very problems. And it's encouraging to see how many people across the commonwealth are joining in the movement for clean water. DEQ's report shows that we're on the road to a big win. With the support of Virginia's residents and elected officials, the clean water movement can succeed.

## Erie (Coal) Coke Appeals DEP Air Quality Order

**ERIE TIMES-NEWS** (Saturday) Plant at foot of East Avenue calls parts of Feb. 4 action "vague, unreasonable, arbitrary and capricious." Case to go before state Environmental Hearing Board. Erie Coke Corp. has appealed a state order to fix a number of air-quality problems, extending a dispute with regulators that has gone on for years. The plant at the foot of East Avenue wants the Pennsylvania Environmental Hearing Board to vacate a number of requirements that the state Department of Environmental Protection listed in a 16-page administrative order issued on Feb. 4. The order includes a number of requirements that are "vague, unreasonable, arbitrary and capricious," according to the appeal, filed Wednesday. Erie Coke is also arguing that the DEP abused its discretion in several areas, and that, in one instance, the DEP's order would place unreasonable and unlawful financial demands on Erie Coke. The DEP in its order said it found a number of ongoing violations at the Erie Coke plant, including the release of "visible emissions" from its smokestack and coke ovens in amounts that exceed those allowed under the Pennsylvania Air Pollution Control Act. The coke produced at the plant is used to make steel. The DEP ordered Erie Coke to undertake a number of actions to comply with the state's clean-air regulations and the terms of an operating permit that the company is seeking. Among the requirements is that Erie Coke get DEP approval to build and install "a backup control device to prevent the flaring or combustion of coke oven byproduct gas" with higher-than-allowed concentrations of hydrogen sulfide. Erie Coke objects to that requirement in its appeal. By demanding the addition of the backup control device, the DEP is abusing its discretion by imposing "unreasonable, unlawful and significant economic and related resource costs on Erie Coke beyond the scope of the Department's authority," Erie Coke's lawyer, Clifford Levine, of Pittsburgh, wrote in the appeal. The DEP on Feb. 4 also ordered Erie Coke to submit within 60 days a plan on how it will fix the air-quality violations. Levine in the appeal objects to that requirement, calling the 60-day timeframe "infeasible." The Environmental Hearing Board, which has the case, is made up of five administrative law judges who are gubernatorial appointees. The board hears appeals of DEP actions, and its rulings can be appealed to state Commonwealth Court.

## Conservation Chief Sees Buffer Progress

LANCASTER FARMING (Friday) HARRISBURG, Pa. — Pennsylvania could be on the cusp of a boom in streamside tree plantings that will reduce agricultural and urban runoff. “I think it takes a while to get the human infrastructure and funding in place, and then it’ll start really rocking in terms of getting it into the ground,” said Cindy Dunn, the state secretary of conservation and natural resources. Riparian, or streamside, buffers trap nutrient runoff, stabilize banks, shield streams from harsh sunlight, and provide habitat for wildlife. Buffers are one of the most cost-effective ways to keep nitrogen and phosphorus from polluting waterways. The momentum behind buffer planting has been building for a long time. The current federal-state Chesapeake Bay cleanup began a decade ago, with buffer planting as a key component. But Pennsylvania, which contributes the most pollution to the bay, has had trouble meeting the program’s goals. As part of a broader plan to speed up its efforts, Pennsylvania committed three years ago to get 95,000 acres of buffers planted by 2025. The Department of Conservation and Natural Resources, which Dunn leads, has since committed a quarter of its service foresters’ time to buffers and awarded more than \$2 million in grant funding to buffer projects. The agency has also developed partnerships with conservation groups that do a lot of buffer planting. Buffers continue to be planted across the state — in the Ohio and Delaware river basins as well as the Chesapeake watershed — but the amount of progress isn’t entirely clear. That’s because the agency has not yet established a way to keep track of buffer growth from all sources. The state counted 1,800 new buffer acres last year, but that doesn’t include acreage planted by grant recipients...

## EPA Exhibit At 2019 Philadelphia Flower Show Highlights Ecological Power Of Flowers Now Through March 10

PA ENVIRONMENT DIGEST BLOG (Friday) This year’s [Philadelphia Flower Show](#), which runs through March 10, showcases the Power of Flowers, and the U.S. Environmental Protection Agency’s exhibit “E=mc<sup>2</sup>: Eco-Power” hits the mark. The exhibit shows how elements of a formal garden such as using native plants and on-site water management techniques can help power an ecosystem while enhancing the landscape. “There is an intrinsic connection between diverse flora and fauna and healthy ecosystems,” said EPA Regional Administrator Cosmo Servidio. “Through our exhibit, EPA is demonstrating that in addition to instilling beauty, gardens can promote clean and healthy water by incorporating sustainable landscaping practices.” EPA’s exhibit begins with a formal garden adorned with beautiful native trees and shrubs such as flowering dogwood and sweetly fragrant azaleas. The exhibit also includes a water garden teeming with wild and unique botanical beauties such as the carnivorous pitcher plant and exquisite swamp pinks, all receiving water from a gutter system and rain barrel...

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# PENNSYLVANIA

## PHILADELPHIA INQUIRER

[Customers would pay millions to rescue Pa. nuclear reactors, including some that are already profitable](#) (Saturday) Pennsylvania electric customers would pay hundreds of millions of dollars a year in subsidies to the state’s nuclear industry — about \$5 more per month for a typical household, by one estimate — under a draft nuclear rescue bill widely circulated in Harrisburg. The long-awaited legislation, which proponents say is still undergoing revisions before it is formally unveiled, would direct a massive infusion of ratepayer funds to the state’s nine reactors. The owners of three reactors have announced their imminent retirement if they do not receive subsidies that they say would put the plants on equal footing with other zero-emission power generators, such as wind and solar. But some of the state’s reactors are not in immediate danger of closure. The state’s most profitable nuclear plant, the twin-unit Limerick Generating Station in Montgomery County, is projected to earn hundreds of millions of dollars in the next few years, without a subsidy. Supporters say the proposal would correct “market flaws” by including nuclear energy into the state’s 2004 Alternative Energy Portfolio Standards Act (AEPS), which mandates that 18 percent of all power sold in the state be derived from alternative energy sources by 2021. The draft proposal would create a new category of zero-emission power reserved largely for nuclear producers, that would supply 50 percent of the state’s electricity demand...

Commentary: If we want a future for our kids and ourselves, we must tackle climate change | Women's Day 2019 What we didn't fully appreciate is that we, the "forgotten generation" — Generation X — were sandwiched between two larger groups with better public relations, who knew how to promote themselves and their accomplishments while we self-deprecated, undersold, and undervalued ourselves into invisibility. When I think about the greatest issues facing women of my age, I see two: visibility and voice. We aren't the youngest in the room, but we aren't the oldest. We are just as comfortable leveraging technology in the workplace as we are with more conventional skills. We have plenty of years of experience behind us and plenty more ahead, but we've allowed ourselves to be erased — to be known as "America's neglected middle child." According to a 2018 poll, we're America's most stressed working professionals...

Head Of Morris Arboretum Retiring After 42 Years, A Rare Tenure In Botanical World In the summer of 1976, when Paul W. Meyer arrived at Morris Arboretum fresh off a master's in plant sciences, his goal was clear: Gain some experience at the "backwater" garden and move on to bigger opportunities. More than 42 years later, 28 as the F. Otto Haas executive director, Meyer is at last ready. This month, the 66-year-old plans to retire from the 170-acre, public arboretum of the University of Pennsylvania located off Northwestern Avenue in Chestnut Hill. The horticulturalist will leave behind the place he has called home (he has lived on the property from Day One, as well) with a healthy endowment and world-class gardens — due in large part to his stewardship. (Meanwhile, Morris is busy interviewing candidates in the hopes of having a new director by the summer.) "That something bigger came here," he says from his spacious office that overlooks a stand of red-berried hollies and an impressive London plane tree, "so I didn't have to move on." ...

### PITTSBURGH POST-GAZETTE

#### Pa. strikes well-plugging deal with largest conventional oil and gas operator in Appalachia

An oil and gas company that owns tens of thousands of conventional wells in Pennsylvania has reached an agreement with state regulators to plug or restart production at about 1,400 abandoned wells over the next 15 years. The settlement between Diversified Gas & Oil and the Pennsylvania Department of Environmental Protection requires the Alabama-based company to submit a \$7 million bond to cover plugging costs if the company walks away from its obligations, plus additional bonds of \$20,000 to \$30,000 per well for unproductive wells that the company buys or sells in the future. DEP officials believe the deal offers much more protection than current state law, which allows operators of traditional, shallow wells to provide financial protection for as many wells as they want with a single \$25,000 bond. Wells drilled before 1984 require no bond at all. "This is the largest performance bond we've secured in the oil and gas program," said Dan Counahan, DEP's southwest district manager for oil and gas operations. "It goes well beyond the insufficient bonding instituted by the Legislature."

#### U.S. Steel Says Clairton Coke Works Repairs Ahead Of Schedule

(Saturday) U.S. Steel Corp. now says it expects to complete repairs to pollution controls at its Clairton Coke Works by April 15, a month earlier than it originally projected after a fire Dec. 24 severely damaged the equipment. The Pittsburgh-based steelmaker announced the updated repair schedule Friday in a 19-page response to the Allegheny County Health Department's enforcement order March 1 requiring the company to end excessive sulfur dioxide emissions at its Clairton Coke Works, its Edgar Thomson steel mill in Braddock and North Braddock, and its Irvin Works, including the Peachtree flare, in West Mifflin. The company also said it plans to significantly extend coke oven baking times for a second time since the fire, from 22 hours to 27 hours at all 10 of its batteries. That will reduce coke production to about 8,000 tons a day, about 30 percent below normal production. According to U.S. Steel, when Clairton's desulfurization system is repaired, it will be able to treat all of the coke gas produced at the reduced level. The company then plans to ramp up production slowly and return to pre-fire levels as the new desulfurization system proves it can treat all the gas produced...

#### Editorial: ALCOSAN Overhaul Should Include Transparency

The Allegheny County Sanitary Authority is in the early stages of a \$2 billion, 20-year series of infrastructure upgrades to keep sewage out of the region's rivers, a campaign that will mean significantly higher bills for ratepayers. It should be doing everything possible to rally public support for the initiative and to assure ratepayers that big-money contracts will be let in a transparent, responsible manner. But, no, this is Alcosan, which won't even let members of the public see monthly board agendas until they walk into the room on meeting day. More responsible government bodies — including

Pittsburgh City Council, the city Urban Redevelopment Authority and Pittsburgh Public Schools — post their agendas online in advance of meetings so taxpayers can stay informed and decide whether they should attend. Alcosan spokesman Joseph Vallarian offered a specious defense of the agency's silly policy, saying agendas can't be disseminated in advance of meetings because they might change at the last minute. Changing agendas are a staple at city council, URA and city school board meetings, too, yet these government bodies somehow manage such challenges while still upholding basic standards of transparency. The good news is, ...

#### Editorial: Pop-Up Recycling, PA Resources Council Helps Us Do The Right Thing

We've got pop-up art installations and pop-up eateries. Now: pop-up glass recycling. The Pennsylvania Resources Council has come to the rescue of local environmental stewards who have been dismayed by market-driven municipal decisions to cease the recycling of glass. The seemingly sudden removal of glass from many of the region's residential curbside recycling programs — just when many people finally had gotten into the habit of rinsing and separating — had left many with an uncomfortable feeling each time a beer bottle or a tomato sauce jar was tossed into the garbage can. "This exciting new program will ensure that glass is not trash, even if it can no longer be put out for curbside recycling in numerous municipalities due to recent changes in waste haulers' contracts," commented Justin Stockdale in a news release. He is co-executive director of the Pennsylvania Resources Council. Residents can drop off all colors of glass bottles, jars and jugs at no cost at a variety of locations between 9 a.m. and 2 p.m. on a number of upcoming Saturdays. Check at [www.prc.org](http://www.prc.org) for a full tally of locations and dates. The list includes Edgeworth Elementary School on March 30; Avalon Borough Park on April 27; Village Square Mall in Upper St. Clair on May 11. The glass will be sent to mills that use it as raw material. Current market conditions have made it economically unappealing to continue municipal curbside recycling as it had been operating. The PRC is making it financially feasible to allow people to keep doing the right thing before they get out of the habit of rinsing and sorting...

### PITTSBURGH TRIBUNE REVIEW

Pittsburgh Recognized As Starting Point For Lewis And Clark Expedition The federal government has recognized Pittsburgh as the starting point for the Lewis and Clark expedition. It was America's first great effort to explore and chart the western United States and find a navigable water route across the continent to improve and increase commerce. The trip covered about 8,000 miles from Pittsburgh to Oregon and took nearly three years, from 1803 to 1806. President Thomas Jefferson, who commissioned the expedition, chose Meriwether Lewis to lead it. Lewis invited William Clark, a skilled river man, geographer and mapmaker, to share leadership. The federal government in 1978 established the Lewis and Clark National Historic Trail from Wood River, Ill., to the mouth of the Columbia River in Oregon but failed to recognize Pittsburgh as the expedition's starting point. Historians and advocates lobbied for years to include the 1,200 miles from Pittsburgh to Wood River. The U.S. House and Senate on Feb. 12 approved the addition under the Eastern Legacy Extension Act. President Trump is expected to sign the bill within days, according to the Lewis and Clark Trail Heritage Foundation. "It's a huge thing," said John McNulty, 55, of Pittsburgh's Elliott neighborhood, a Lewis and Clark re-enactor and longtime advocate for the extension. "It will open a whole new chapter of awareness for our town. To me, it feels like two or three Super Bowls thrown into one." ...

Residents Want Gas Drilling To Stop At Beaver Run Reservoir In Westmoreland (Saturday) Environmentalists on Friday demanded board members of the Municipal Authority of Westmoreland County halt deep well gas drilling at the agency's Beaver Run Reservoir property in Washington and Bell townships. The plea came nearly two months after a well at the reservoir property malfunctioned when a drop in pressure at one of the Utica wells operated by CNX Resources prompted drilling to be temporarily halted. The problem well eventually was capped, but drilling is expected to continue at the site, officials said. "We want you to request the (Department of Environmental Protection) to stop drilling, fracking and refracking at Beaver Run," said Dr. Cynthia Walter of Hempfield. "If you do not publicly oppose such risky activities near our water, the MAWC board — that's you people — will be considered willfully negligent." Authority officials said the incident did not impact the public drinking supply. The state environmental agency last month issued a notice of violations against CNX related to the Beaver Run incident. The state's investigation is ongoing. CNX leases property at the reservoir site, where 52 wells have been drilled. The authority last year earned more than \$3.8 million in royalties from gas collected from the reservoir property wells and at other locations owned by the utility. Drilling opponents maintain the fracking activity is a continuing danger to the public water supply...

Letter: End Sunday Hunting Ban Pennsylvania Grange president Wayne Campbell's op-ed ("Keep Sunday hunting ban") is missing existing perspective/data. Yes, hunter numbers will likely decline over time. The Pennsylvania Game Commission agrees culture shifts are significantly to blame. Campbell ignores the fact that hunters cite lack of free time as the overwhelming reason they stop hunting. The commission's executive director testified in 2016 that " ... the No. 1 reason that people stop hunting is lack of time. The overwhelming majority of hunting takes place on Saturdays. ... For a lot of hunters the only option is Saturday." His full testimony is worth reading. The commission has already done the "alternatives" research Campbell asks for. Trust the facts. The Pennsylvania Grange commonly mentions sharing the outdoors, but wants to exclude hunters on Sundays. Curious. Hunters have always shared state game lands, which are funded by hunting license fees. It's time to repeal the last blue law; 47 other states have removed bans. Opponents aren't citing issues in those states. It's overzealous to tell citizens what to do on private property. They should append their motto to "In essentials unity, in non-essentials liberty, in all things charity *except Sunday hunting.*"

### **CBS PITTSBURGH (KDKA)**

PWSA To Stand Trial On Charges It Violated Pa. Safe Drinking Water Act (March 7) PITTSBURGH (KDKA) — The Pittsburgh Water and Sewer Authority will stand trial on charges it violated the state's safe drinking water act. In February, Pennsylvania Attorney General Josh Shapiro filed more than 150 criminal counts against the PWSA. "The Water and Sewer Authority failed in its duty to notify Pittsburgh residents that it was replacing lead surface lines, putting them at risk to consume lead in their drinking water," Shapiro said. Shapiro said the agency did not replace lead lines as required, failed to notify residents when it did make replacements and did not take and analyze the lead content of the new lines within 72 hours. "Those failures are criminal violations. Pennsylvanians have a constitutional right to clear air and pure water," Shapiro said. The Attorney General insisted it was the agency alone that engaged in a criminal violation against the state of Pennsylvania, but no individual was found to be criminally liable. "The Authority is being charged alone because during our investigation, we found no evidence of any one or single person or persons intending to harm any users of the water system," Shapiro said. At Wednesday's preliminary hearing, 11 of the 161 original counts were dropped, but the PWSA still faces 150 counts. Each one could cost the PWSA anywhere from \$1,200 to \$12,000 in fines under state rules. The PWSA has said any fines "would only divert ratepayer dollars that would otherwise be used for critical water..."

### **STATE IMPACT PENNSYLVANIA (NPR)**

Unsolicited, PUC commissioner sends legislators a breakdown of nuclear bailout options (Friday) A state utility regulator who could be involved in the implementation of a bailout for Pennsylvania's nuclear power industry sent a 33-page memo analyzing policy options to legislators who are drafting a bill to rescue two of the state's five plants. Pennsylvania Public Utility Commissioner Andrew Place emailed the memo to his fellow commissioners late Wednesday. He also shared it with members of the state's Nuclear Energy Caucus — a group of legislators drafting the nuclear bailout bill. Place said no one asked him to provide the analysis, but he felt it was his obligation to speak to issues that impact ratepayers. "I've been chomping at the bit to do this for a long time, and I know there's draft legislation being circulated," he said. "The cow's out of the barn, if we don't provide perspective before language is submitted." Exelon intends to retire its Three Mile Island plant in September, before its operating license expires, unless the state steps in to help. The company has spent more than \$2 million lobbying for aid in the past two years. The plant functions with only one reactor, after the other partially melted down in March 1979. The company did not comment for this story. Sen. Ryan Aument (R- Lancaster) is leading the nuclear legislation effort in the senate. His chief of staff Ryan Boop confirmed Aument received Place's memo, but said that he did not request it and has not yet had time to review it. Place does not recommend a specific course of action, but under most of the roughly half-dozen policy scenarios he examines in the memo, Three Mile Island would still shut down...

### **WHYY PHILADELPHIA**

A Park That Makes Money? Dilworth Park In Philadelphia Generated \$2.5 Million In 2018 When construction began last month on a second Starbucks-branded cafe in Dilworth Park outside City Hall, some Philadelphians started asking why businesses and ads were in the city-owned plaza at all. The short answer: money. The quasi-governmental organization that leases Dilworth from the city, the Center City District, is growing — and much of that growth comes from an explosion of revenue coming from the park. Budget documents show that CCD brings in more than \$2.67 million annually from lease agreements, advertising, event sponsorships, and other moneymaking efforts on public parcels,



including Dilworth. Historically, nearly the entire CCD budget is covered by a special tax levied on downtown real estate, but by the end of 2018 parks revenues accounted for 11 percent of the District's \$23 million budget. A separate budget projection indicates that the CCD expects these revenues to increase by 58 percent by 2022. Center City District Executive Director Paul Levy expects the new Dilworth cafe to generate \$60,000 to \$80,000 a year for the organization. The district also manages cafes and other activities in nearby Crét Park and Sister Cities Park — ventures that cover certain improvements to those spaces. But the vast majority of parks revenues come from leases, ads, and private events at Dilworth and City Hall's underground SEPTA station entrance, which the CCD has managed since 2014 through a 20-year lease agreement with the city...

## **ALTOONA MIRROR**

Hunters Gather To Hear Speaker Opposed To Deer Removal In Blair County To Deal With (Sunday) CWD EAST FREEDOM — Every seat in the East Freedom Fire Hall was filled Saturday morning by hunters, about 300 of them, hanging on every word spoken by a scientist who promised a long-awaited cure for chronic wasting disease. The chronic wasting disease vaccine that ecologist and biologist John Eveland spoke of seemed so close but still far off — at least five years and a few thousand to a million dollars away. "We are facing a biological and human health catastrophe," Eveland said. Several years ago, Eveland was asked by a former governor and the Pennsylvania State Legislature's Game and Fisheries Committee to conduct a comprehensive assessment of the Pennsylvania Game Commission's deer management program. He is critical of the game commission's latest methods, namely, targeted removal of deer. Eveland was the scientist who decades ago developed a vaccine for the brain worm that was killing Pennsylvania's elk herd. Now he is working closely with the grassroots sportsmen group, Unified Sportsmen of Pennsylvania, on CWD. With recent conflict between Blair County hunters and the Pennsylvania Game Commission on how to slow the disease, members of the sportsmen group visited Blair County and brought Eveland with them. State and federal government officials also showed up in the hunters' corner as they strive to save their deer population and hunting tradition. Congressmen Glenn "GT" Thompson, R-15th District, and John Joyce, R-13th District, addressed the crowd to announce they plan to introduce legislation next week that would authorize up to \$15 million starting in 2020 for priorities including vaccines for CWD...

## **WJAC-TV JOHNSTOWN / ALTOONA**

Hunters Gather In Jefferson County To Protest Deer Removal Plans PUNXSUTAWNEY, Pa. (WJAC) — Local hunters are fighting back against the Pennsylvania Game Commission's plan to reduce the deer population in Clearfield and Jefferson counties because of chronic wasting disease. They hope to see what happened in Blair County, where the hunt didn't happen. Hunters protested outside the office of state Rep. Chris Dush in Punxsutawney, trying to put pressure on lawmakers to get the Game Commission to stop these targeted hunts. The Game Commission is trying to eliminate a few hundred deer in small areas of Clearfield and Jefferson counties, close to where deer were found to have the degenerative illness that is always fatal to deer, moose, elk and the like. The Game Commission is seeking permission from landowners to have the U.S. Department of Agriculture Wildlife Services team come in and remove the deer...

## **CHESTER DAILY LOCAL NEWS**

Sen. Dinniman, Rep. Friel Otten Form Pipeline Safety Caucus WEST CHESTER—State Senator Andy Dinniman, State Representative Danielle Friel Otten, fellow lawmakers, community groups, residents, and families from across Pennsylvania will hold a Rally for Pipeline Safety and Environmental Protection on Tuesday, March 19 from 10 to 11 a.m. in the Main Capitol Rotunda of the Pennsylvania State Capitol in Harrisburg. At the rally, residents will lobby for the passage of a package of comprehensive pipeline safety bills introduced by Dinniman and others in the wake of various environmental violations, public safety concerns, geologic problems, threats to private property and water rights, and other wide-ranging quality-of-life issues brought on by Sunoco/ETP's controversial Mariner East project. "Mariner East may have brought area residents together and opened our eyes to the lack of strong pipeline public safety and environmental protection regulations in Pennsylvania, but this is a statewide issue and one that demands real, immediate and lasting reform," Dinniman, who serves on the Environmental Resources and Energy Committee said. "Residents are coming to Harrisburg by the busload on March 19 to demand immediate relief and real action from the legislature so that no one in Pennsylvania will have to have their home and their safety held hostage by a pipeline project again..."



## **ERIE TIMES NEWS**

Erie (Coal) Coke Appeals DEP Air Quality Order (Saturday) Plant at foot of East Avenue calls parts of Feb. 4 action “vague, unreasonable, arbitrary and capricious.” Case to go before state Environmental Hearing Board. Erie Coke Corp. has appealed a state order to fix a number of air-quality problems, extending a dispute with regulators that has gone on for years. The plant at the foot of East Avenue wants the Pennsylvania Environmental Hearing Board to vacate a number of requirements that the state Department of Environmental Protection listed in a 16-page administrative order issued on Feb. 4. The order includes a number of requirements that are “vague, unreasonable, arbitrary and capricious,” according to the appeal, filed Wednesday. Erie Coke is also arguing that the DEP abused its discretion in several areas, and that, in one instance, the DEP’s order would place unreasonable and unlawful financial demands on Erie Coke. The DEP in its order said it found a number of ongoing violations at the Erie Coke plant, including the release of “visible emissions” from its smokestack and coke ovens in amounts that exceed those allowed under the Pennsylvania Air Pollution Control Act. The coke produced at the plant is used to make steel. The DEP ordered Erie Coke to undertake a number of actions to comply with the state’s clean-air regulations and the terms of an operating permit that the company is seeking. Among the requirements is that Erie Coke get DEP approval to build and install “a backup control device to prevent the flaring or combustion of coke oven byproduct gas” with higher-than-allowed concentrations of hydrogen sulfide. Erie Coke objects to that requirement in its appeal. By demanding the addition of the backup control device, the DEP is abusing its discretion by imposing “unreasonable, unlawful and significant economic and related resource costs on Erie Coke beyond the scope of the Department’s authority,” Erie Coke’s lawyer, Clifford Levine, of Pittsburgh, wrote in the appeal. The DEP on Feb. 4 also ordered Erie Coke to submit within 60 days a plan on how it will fix the air-quality violations. Levine in the appeal objects to that requirement, calling the 60-day timeframe “infeasible.” The Environmental Hearing Board, which has the case, is made up of five administrative law judges who are gubernatorial appointees. The board hears appeals of DEP actions, and its rulings can be appealed to state Commonwealth Court.

## **HARRISBURG PATRIOT NEWS**

New Position Will Drive Environmental, Corporate Sustainability At Harsco Cope Willis has been appointed vice president of sustainability and environmental solutions by Harsco Corporation. He will lead efforts to integrate and embed sustainability throughout the company, and will serve as adviser, subject matter expert, and key influencer in business development efforts. Willis joins Harsco from PricewaterhouseCoopers, where he served as director of sustainability services. He reports to Harsco Chairman and CEO Nick Grasberger.

## **LANCASTER NEWSPAPERS**

Rumors Swirl Around Sale Of Girl Scout Camp In Lancaster County Has Camp Furnace Hills Girl Scout camp in northern Lancaster County been purchased? If so, is the buyer a developer or a grassroots nonprofit group that pledged to save the property to continue camping opportunities for the community? The answer is not clear yet...

Extreme Adventurer: When Winter Weather Gets Rough, Ben Weaver Gets Going Ben Weaver is the kind of guy who looks out a window of his East Hempfield Township home and sees snow on the ground and temperatures in the teens well into March and is not depressed. Rather, he sees a missed opportunity. The 40-year-old mechanic, who didn’t even discover backpacking until seven years ago, has become something of an extreme winter adventurer...

## **LANCASTER FARMING**

Conservation Chief Sees Buffer Progress (Friday) HARRISBURG, Pa. — Pennsylvania could be on the cusp of a boom in streamside tree plantings that will reduce agricultural and urban runoff. “I think it takes a while to get the human infrastructure and funding in place, and then it’ll start really rocking in terms of getting it into the ground,” said Cindy Dunn, the state secretary of conservation and natural resources. Riparian, or streamside, buffers trap nutrient runoff, stabilize banks, shield streams from harsh sunlight, and provide habitat for wildlife. Buffers are one of the most cost-effective ways to keep nitrogen and phosphorus from polluting waterways. The momentum behind buffer planting has been building for a long time. The current federal-state Chesapeake Bay cleanup began a decade ago, with buffer planting as a key component. But Pennsylvania, which contributes the most pollution to the bay, has had trouble meeting the program’s goals. As part of a broader plan to speed up its efforts, Pennsylvania committed three years ago to get 95,000 acres of buffers planted by 2025. The Department of Conservation and Natural Resources, which Dunn

leads, has since committed a quarter of its service foresters' time to buffers and awarded more than \$2 million in grant funding to buffer projects. The agency has also developed partnerships with conservation groups that do a lot of buffer planting. Buffers continue to be planted across the state — in the Ohio and Delaware river basins as well as the Chesapeake watershed — but the amount of progress isn't entirely clear. That's because the agency has not yet established a way to keep track of buffer growth from all sources. The state counted 1,800 new buffer acres last year, but that doesn't include acreage planted by grant recipients...

Cover Crops Can Boost Dairy Profitability (Friday) FREDERICK, Md. — Farmers learned the importance of forage quality, both for their milk production and for their bottom line, at the Maryland Dairy Convention on Feb. 22. Dr. Clay Zimmerman of Balchem Corp. presented "Utilizing Cover Crops as a Forage Source for Milk Production and Profitability." "With cereal cover crops you need to cut early in the morning and get the widest swath possible so the sun can dry it," Zimmerman said. "Then you want to wait several hours before it's tedded. If it is wet and you let it lay in the field a long time, that is a disaster." Zimmerman explained that the sugar content goes down the longer the plant is on the ground, and eventually farmers would have no sugar left to ferment in the silage. "The two factors go hand in hand; how quickly you put it up and how wet it is," Zimmerman said. Maryland has over 500,000 acres of cover crops, which is partly due to the proximity to the Chesapeake Bay, Zimmerman said...

### **SCRANTON TIMES TRIBUNE**

Scranton Says Annual Stormwater Fee Of \$32 Per Home

### **WILKES-BARRE TIMES LEADER**

Op-Ed: Why Should Electric Customers Subsidize Nuclear Generation Like many Pennsylvanians, I have been watching with great interest the debate surrounding the future of nuclear power. Proposed legislation currently circulating within the Pennsylvania General Assembly would require electric utilities to purchase as much as 50 percent of customer demand from nuclear energy as part of a new mandate under Pennsylvania's Alternative Energy Portfolio Standards Act. As president of one of the largest electric utilities headquartered here in Pennsylvania, I must respectfully ask the General Assembly to seriously consider the broad impact and the unintended ramifications this aggressive proposal would have on all 1.4 million customers served by PPL Electric Utilities. The conversation surrounding how to achieve long-term, market-based solutions to reducing carbon is essential to Pennsylvania's energy future. Our parent company, Pennsylvania-based PPL Corporation, supports efforts to advance a cleaner energy future and has committed reducing its carbon emissions 70 percent from 2010 levels by 2050. Additionally, PPL Electric Utilities has begun to undertake several projects that promote greater incorporation and growth of carbon-free energy sources, such as solar, onto our grid. No one disputes that nuclear energy is carbon-free, but don't confuse narrow nuclear subsidy proposals with efficient and effective economy-wide, market-based efforts to move the state toward a low-carbon future. This proposal, if adopted, will make Pennsylvania less competitive, impacting every electric customer in Pennsylvania and raising the average price of electricity in the state for years to come. We have estimated that our customers, alone, will pay \$130 million more each year to rescue a single energy source that already benefits from an existing robust market...

### **WILKES-BARRE CITIZENS VOICE**

Kaufer asks AG to file injunction to stop fee State Rep. Aaron Kaufer has urged state Attorney General Josh Shapiro to seek an injunction to halt a controversial stormwater fee, on the grounds it constitutes an unfunded mandate. Kaufer, R-120, Kingston, on Thursday sent a letter to Shapiro, asking him to file an injunction with the federal government and the Environmental Protection Agency. The EPA "has instituted this unfunded mandate requiring treatment of stormwater on the residents of Pennsylvania," Kaufer wrote. Kaufer says the EPA mandate, aimed at reducing pollution in waterways that drain into Chesapeake Bay, including the Susquehanna River, violates the federal Unfunded Mandates Reform Act of 1995. That act is meant to "limit the number of unfunded federal mandates imposed by the federal government on state, local, and tribal governments," according to the General Services Administration. The EPA mandate, even if inspired by good intentions, needs to be funded before it is imposed on counties and municipalities, according to Kaufer. "However noble the goals of the federal government, they are required to follow the law," Kaufer wrote to Shapiro. The stormwater fee "makes it even more difficult for individuals to afford the costs associated with government for what is seen as little in return," Kaufer wrote. In Luzerne County, the Wyoming Valley Sanitary Authority has assessed the stormwater fee on its fee-payers, in a multi-tiered system based on how much impervious surface a property includes.

The fee will fund pollution-control projects designed to reduce runoff into the Susquehanna River. The sanitary authority is handling the EPA mandate on behalf of 32 municipalities. The stormwater fee sparked a public outcry, which intensified after the sanitary authority issued bills that included the fee. Kaufer on Sunday said he has heard the voice of his constituents, who are overwhelmingly opposed to the fee, often referred to as a "rain tax." "People are so upset about it, and rightfully so," he said...

### **WILLIAMSPORT SUN-GAZETTE**

Sen. Yaw Tours Muncy Company Turns Out Drainage Pipes Made From Recycled Plastic MUNCY — It's a company that employs more than 100 people, operates three shifts and fabricates pipe systems sent nationwide and overseas. State Sen. Gene Yaw, R-Loyalsock Township said what impresses him about Advanced Drainage Systems is its use of recycled plastics and other materials to create its products. Yaw was part of a tour Friday of the company's plant located in Muncy's Industrial Park. "It's jobs and it's great for the environment," the lawmaker said. The plant, operating since 1984, is one of 56 facilities under the Advanced Drainage Systems umbrella. "The pipes here are for drainage systems, mostly with storm management," said Greg Bohn, director of national engineering and product development for the company. Advanced Drainage Systems, he said, recycles 400 million pounds of material companywide a year to produce pipes and other materials. The recycling is done at the company's Clarion plant and the material is then shipped to sites such as the Muncy facility. "We make it and use it," he said. Plant Manager Dave Watkins said the Muncy facility has five production lines, each of which turn out different sizes or types of piping. Yaw said he was impressed by some of the sizes of pipes being produced. "This is our largest plant," Bohn said. During the plant tour, Watkins led a small entourage past different work areas, where employees could be found cutting, shaping and even rolling out piping. He pointed outside of the plant building to the stacks and rows of products...

### **PA ENVIRONMENT DIGEST BLOG (By PA DEP)**

EPA Exhibit At 2019 Philadelphia Flower Show Highlights Ecological Power Of Flowers Now Through March 10 (Friday) This year's Philadelphia Flower Show, which runs through March 10, showcases the Power of Flowers, and the U.S. Environmental Protection Agency's exhibit "E=mc2: Eco-Power" hits the mark. The exhibit shows how elements of a formal garden such as using native plants and on-site water management techniques can help power an ecosystem while enhancing the landscape. "There is an intrinsic connection between diverse flora and fauna and healthy ecosystems," said EPA Regional Administrator Cosmo Servidio. "Through our exhibit, EPA is demonstrating that in addition to instilling beauty, gardens can promote clean and healthy water by incorporating sustainable landscaping practices." EPA's exhibit begins with a formal garden adorned with beautiful native trees and shrubs such as flowering dogwood and sweetly fragrant azaleas. The exhibit also includes a water garden teeming with wild and unique botanical beauties such as the carnivorous pitcher plant and exquisite swamp pinks, all receiving water from a gutter system and rain barrel...

PA Chesapeake Bay Watershed Planning Steering Committee Adopts Phased Approach To County Planning Process On March 8, the PA Chesapeake Bay Watershed Implementation Plan Steering Committee adopted a phased approach to implement the county-level clean water planning process to develop plans to meet Pennsylvania Bay pollution reduction goals. The remainder of the 7 counties in DEP's Tier 1 responsible for 50 percent of the state's Chesapeake Bay water pollution reduction goal would start the planning process in July and complete planning by February. The planning process for the remaining 36 counties in Tiers 2, 3 and 4 responsible for the other half of the reductions would start in October and be due in late 2020. The Committee also heard presentations from Adams and Franklin counties on the plans they developed to meet their nutrient pollution reduction targets...

PaEN: DEP Blog: Healthy Waters, Healthy Communities: York County

PA Chesapeake Bay Watershed Planning Steering Committee Adopts Phased Approach To County Planning Process (Friday) On March 8, the PA Chesapeake Bay Watershed Implementation Plan Steering Committee adopted a phased approach to implement the county-level clean water planning process to develop plans to meet Pennsylvania Bay pollution reduction goals. The remainder of the 7 counties in DEP's Tier 1 responsible for 50 percent of the state's Chesapeake Bay water pollution reduction goal would start the planning process in July and complete planning by February. The planning process for the remaining 36 counties in Tiers 2, 3 and 4 responsible for the other half of the

reductions would start in October and be due in late 2020. The Committee also heard presentations from Adams and Franklin counties on the plans they developed to meet their nutrient pollution reduction targets.

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## WASHINGTON, D.C.

### WASHINGTON POST

Commentary: Setting the right course on climate change in Annapolis (Friday) When it comes to climate change, Maryland is like a fragile ship caught in a big storm. Great swells of rising water buffet the state in the form of sea-level rise. And dark, howling skies keep opening up, triggering 1,000-year floods such as the ones that recently devastated Ellicott City twice in 22 months. Any rational captain and crew would bail water and steer rapidly to harbor in such a storm. That's precisely what the Maryland General Assembly is being asked to do right now in Annapolis. How? By joining other states and countries in moving rapidly toward clean energy, thus reducing the source of the storm itself: greenhouse-gas emissions from fossil fuels. The Clean Energy Jobs Act, now before the Maryland Senate and House, would mandate that 50 percent of the state's electricity come from renewable sources by 2030. It would create a plan to get to 100 percent clean power by 2040. Large majorities of lawmakers in both chambers have said they will vote for the bill, but a few representatives want to wait. "Let's take action next year," they say. "Or the year after that." Which begs the question: What ship captain, seeing water spilling over the gunwales and into the galley, with rain crashing overhead, tells his crew, "Drop the lines! Let go of the rudder. We'll steer clear of the storm later"?...

Trump officially nominates David Bernhardt, a veteran lobbyist, to run Interior (Saturday) More than a month after President Trump signaled he would pick David Bernhardt to run the Interior Department, he finally made the selection official Friday. Bernhardt, 49, has guided the department as acting secretary since Jan. 2, a few weeks after Ryan Zinke resigned amid multiple ethics probes. The Senate Energy and Natural Resources Committee can now begin the process of preparing for Bernhardt's nomination hearing. If confirmed, the Colorado native would be well positioned to roll back even more of the Obama-era conservation policies he has worked to unravel since rejoining Interior. "David has done a fantastic job from the day he arrived, and we look forward to having his nomination officially confirmed!" Trump tweeted Feb. 4. Bernhardt is a former Capitol Hill staffer who served as Interior's top lawyer under President George W. Bush, and set out to master law and policy in a bid to advance conservative agendas. But as a former partner at Brownstein Hyatt Farber Schreck, he has so many potential conflicts of interest at Interior that he has said he carries a small card listing them all...

The Energy 202 Blog: A wave of state bills could threaten science and climate education State lawmakers from Connecticut to Florida are proposing measures that some groups say could threaten how science and climate change are taught in the classroom. More than a dozen such bills have popped up this year, including from state lawmakers pushing back against broad scientific consensus that people are warming the planet, according to the National Center for Science Education...

As the nest turns: What's really going on in that bald eagle nest in D. C.? The nest usually inhabited by the much discussed bald eagle duo, Liberty and Justice, was invaded Tuesday night by an apparently uninvited guest, a furry member of the mammalian species, a raccoon...

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## DELAWARE

### WILMINGTON NEWS JOURNAL

## Bethany plans canal project for wetland erosion

Bethany Beach is looking for solutions to wetland erosion in its Loop Canal, which its officials say will likely require dredging and added bulkheads. The possible project, which the town has yet to finalize, would tackle wetland erosion that has built up sediment at the bottom of the canal. "It's a project of conservation," said Bethany Beach's assistant town manager, John Apple. "This is for the public to access the waterways, and to conserve our natural habitats and wetlands." The Loop Canal, just south of Salt Pond, runs from Route 1 to the Assawoman Canal. Residents and visitors currently use the area for small boats, but officials warn that continued build-up could create an unnavigable waterway. Deposited sediment from wetland erosion has caused parts of the area to become too shallow, officials say. They hope to dredge the canal to continue its recreational use.

## DELAWARE CAPE GAZETTE

Editorial: Cluster law proposal win-win for all Cleaner waterways with wider natural buffers. Greater swaths of open space. Preservation of mature trees. More contiguous and forested corridors for wildlife. Reduced costs and higher property values for developers and their eventual customers. Is all of this possible? The answer is yes, but it is going to require a fix of the present clustering ordinance. That ordinance allows developers to cluster units on 7,500-square-foot lots instead of the minimum 20,000-square-foot lots allowed in standard subdivisions. Most of Sussex is zoned AR-1, which allows farms and homes. The advantages of 7,500-square-foot lots over 20,000-square-foot lots are huge. They permit developers to concentrate expensive infrastructure in smaller areas, meaning significantly less labor and materials...

Commentary: New trails bring a sense of discovery with them People see, hear and smell new things when they drive new roads, or walk or bicycle on new trails. With the experience comes a sense of discovery which helps stretch the brain and its senses. The new trail being completed between Lewes and Minors Conaway Road – part of the ultimate Lewes to Georgetown rail trail - goes across upper reaches of Canary Creek that most people haven't seen before. It goes along fields with horses and parts of communities that also have been off the beaten path for years. Their noses will tell people they're nearing the fresh baked goods of Old World Breads in beautiful downtown Nassau. Their ears will tell them when they're riding past the busy trucks and steadily humming cement-producing machinery at Atlantic Concrete. And their ears and eyes will also tell them that they are passing – thankfully and safely beneath – eternally busy Route 1 at the Nassau bridge. The new trail, which connects several different communities along the alignment, is already popular even though it hasn't officially opened. Contractors have been patient with the walkers and cyclists who are anxious to take advantage of their handiwork...

## MIDDLETOWN TRANSCRIPT

Carper, Schumer, Reed introduce legislation to prohibit funding for fake climate panel In response to reports that the Donald Trump White House intends to create a working group to challenge the scientific consensus on climate change, Sens. Tom Carper, Delaware; Chuck Schumer, D-New York; and Jack Reed, D-Rhode Island, introduced legislation March 7 to prohibit any federal funding from going to this panel. The working group has been strategically designed to avoid the Federal Advisory Committee Act requirements, which means less public disclosure, and would be comprised of cherry-picked Trump administration employees who have agreed to undermine the consensus among scientists across 13 federal agencies in the National Climate Assessment. The alarming findings in the National Climate Assessment detailed the severe and immediate impacts of climate change. The panel would be organized by William Happer, a prominent climate change science skeptic who is currently serving as a senior director at the National Security Council and was previously the director of the CO2 Coalition — an organization dedicated to touting the benefits of CO2 and funded by energy executives and hard-right foundations...

## DELAWARE STATE NEWS

DuPont Nature Center to reopen April 3, Volunteers sought for spring cleanup day March 16 The DuPont Nature Center

at Mispillion Harbor Reserve, a DNREC Division of Fish & Wildlife facility located in the heart of Delaware's Bayshore Region, will reopen Wednesday, April 3 after having been closed for the fall and winter. The center will be open in April from 10 a.m. to 4 p.m. on Wednesdays and Saturdays only. The center's 2019 schedule for April through September can be found on the DuPont Nature Center website. Prior to reopening, the DuPont Nature Center will hold a volunteer spring cleanup day from 9 a.m. to noon, Saturday, March 16. Projects include exhibit and tank set-up, planting beach grass, and cleaning the center and surrounding grounds. Volunteers under age 18 must provide a parental consent form, and volunteers under age 16 must be accompanied by an adult. For more information or to sign up to volunteer, contact Lynne Pusey at [lynne.pusey@delaware.gov](mailto:lynne.pusey@delaware.gov) or 302-422-1329...

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## WEST VIRGINIA

### CHARLESTON GAZETTE-MAIL

Commentary: Bureau for Public Health must not like Minden (Friday) (by Brandon Richardson) During this legislative session, Sen. Stephen Baldwin, D-Greenbrier, introduced a bill that would drastically improve the West Virginia Cancer Registry. The bill was crafted with the toxic town of Minden in mind, after a family doctor and devoted volunteer for the Minden Community Action Team, approached him pointing out the problems that exist in the way the cancer registry collects its data. The bill was viewed favorably by the senators on the Health and Human Resources Committee and seemed to have a chance of passing. Then, weeks went by without the bill being added to the agenda. Why? Our own health agency, the West Virginia Bureau for Public Health strongly opposed the bill because they claim it was "logistically impossible." In reality, we know it's because the WVBPH doesn't like the people in Minden or all of West Virginia communities, for that matter. They hate that our community generated a list documenting several hundred cancer cases in Minden while their registry documents less than 80. They don't like that, with this bill in effect, they would have to look at the pile of poisoned bodies that their systemic underreporting facilitated. It's sad that this bill is the product of a concerned citizen noticing the flaws in the current cancer registry and not the result of a Bureau of Public Health study. However, this is not any surprise to Minden residents. When our state and federal agencies were first involved in addressing the problem in Minden, the WVBPH downplayed the serious nature of the toxic PCB contamination and perpetuated the message that Minden was a safe place to live. Minden residents listened to these agencies and continued to try and survive. Decades later, Minden is still toxic, residents are seeking relocation and hundreds of people are suffering or have died from cancer and other illnesses. Despite the fact that time itself has confirmed Minden residents' worst nightmares, the Bureau for Public Health maintains their position, downplaying the risks of living among PCBs. They frequent government agency public meetings in Minden and shrug off our concerns, armed with arguments that point the finger at lifestyle, not pollution. Not only do they maintain their backward stance, but they literally chuckle at our community members as they testify to the harms they have experienced while living in the toxic town. ...

'How to' workshop on farming, food products startups in Chesapeake Thursday A free workshop on how to get into farming and food manufacturing, learn what agricultural products are in demand, and find out about grants and low-interest loans that are available to help launch agricultural enterprises will take place from 6 to 8:30 p.m. Thursday in Chesapeake. The event will be held in the Lisa Curry Annex Building at 12316 MacCorkle Ave., in Chesapeake. Free parking is available in front of the building or at the nearby Chesapeake City Hall parking lot...

New mine safety test lab proposed for site on Pocahontas-Randolph border The National Institute for Occupational Safety and Health is eyeing a 460-acre tract straddling the Randolph-Pocahontas County line near Mace as the future site of a research center and testing laboratory for underground mine safety. NIOSH personnel on Wednesday hosted an open house at Slatyfork to acquaint the public with the results of a recently completed draft environmental impact

statement for the proposed test center. If developed, it would include a 164,000-square-foot underground safety test lab and a five-acre surface complex of office, storage and control buildings totaling at least 17,000 square feet...

PSC schedules hearing over WV American Water takeover of Boone-Raleigh PSD (Sunday) Within hours, the small West Virginia church where the Rev. Phil Farrington and his congregation had worshipped for the past several years was gone...

### **WEST VIRGINIA PUBLIC BROADCASTING**

Senate Resolution Would Study W.Va. Black Lung Epidemic (Friday) A bipartisan group of West Virginia Senators has introduced a resolution that would task a legislative committee with studying the state's black lung epidemic. Senate Concurrent Resolution 59 was introduced Friday afternoon in the Committee on Health and Human Resources. The resolution was sponsored by Sen. Ron Stollings, a Democrat from Boone County, who is also a doctor. If passed, it would task the Joint Committee on Government and Finance with studying why black lung is on the rise in West Virginia, especially in younger miners. One in five working coal miners in central Appalachia who have worked at least 25 years now suffer from black lung, according to a study published last year by federal researchers in the American Journal of Public Health. Five percent of miners in West Virginia, Kentucky and Virginia have the most severe form of disease, progressive massive fibrosis, the study found. That is the highest rate ever recorded. Black lung disease results from inhaling coal and silica dust during coal mining. The dust scars lung tissue and impairs lung function...

### **WEST VIRGINIA METRO NEWS**

Coal miners gather at Capitol to celebrate passage of bills (Sunday) CHARLESTON, W.Va. – Coal miners gathered outside the Senate chamber Saturday morning to celebrate passage of two bills aimed at boosting the state's coal industry. One bill offers severance tax incentives for companies to expand production. The other offers a phased severance tax break to steam coal, which hasn't rebounded as well as metallurgical coal and faces competition from cheaper out-of-state coal. Senate President Mitch Carmichael and a couple other Republican senators greeted the miners and offered some words of support. Carmichael told them, "It is only because of your efforts and what you do that we are able to craft a budget. We are indebted to you, and you don't hear it often enough how proud we are of you and the important part you play in the West Virginia economy." The bills, he said, will allow West Virginia coal to compete on a level playing field. Sen. Eric Tarr, R-Putnam, talked about the severance tax cut. "If we can bring down the cost of coal, bring down the cost of energy, it helps every West Virginian and it certainly helps you guys producing it." The severance tax reduction bill, HB 3142, was heavily debated in both houses, with opponents saying the state can't afford the lost revenue with all the planned spending increases in the works. Sen. Ryan Weld, R-Brooke, told the miners about that debate, and that two different thought processes were at work. One, he said, was to let the companies keep and invest the money in their operations and people. The other was to keep it in the state coffers to spend on state services. His view, he said was to invest in the miners. HB 3144 is the North Central Appalachian Coal Severance Tax Rebate Act. It allows a coal company to obtain a severance tax rebate of 35 percent of the cost of new machinery equipment used to sever coal. "The rebate amount is limited to 80 percent of the state portion of the severance taxes attributable to the additional coal produced as a result of the new machinery and equipment." ...

### **HUNTINGTON HERALD-DISPATCH**

Editorial: Legislators offer no safe harbor for the vulnerable For much of the debate this legislative session, policymakers are leaning on gut instinct rather than the due diligence that we expect of them. They should read up, consider expert testimony, consult research, study science and – God forbid – walk in the footprints of constituents.

But we get little of that. Our lawmakers write policy informed by myth, by fiction, by fantasy. Their anecdotal evidence – greatly embellished – has been shared by like-minded politicians beholden to political dogma, fed by monied interests from outside our state and big business barons inside. Seems like very little of what our legislators do addresses the needs of



West Virginians, especially the state's most vulnerable who face myriad challenges in their daily lives. As such, nothing much for the common good is being written into law in Charleston. Exhibit A: The right to conceal and carry a gun on college campuses. Now there is a solution looking for a problem. Meanwhile, in southern West Virginia, the taps in just one woman's house have been worn down. Sinks and showers are stained orange by pollutants in the water supply. This is what a BBC reporter found – and not in just one home – in a recent story called “A toxic crisis in America's coal country.” But in Charleston, you do not hear about this woman's struggle or her neighbors'. You do not see any such concern in pending legislation that is likely to pass. But you will witness the hand-wringing about campus carry as if any of that folderol addresses a single solitary concern out here in the coalfields. Here is what the BBC reporter wrote: “This is Appalachia – the heart of America's coal country. It is home to some of the poorest and most isolated communities in the U.S.” The woman in the story says, “It's really, really difficult living like this.” Do legislators believe an education savings account will deliver clean water to her home? Or ease some of her burdens? We tell each other that West Virginians look out for one another. Tell that to our legislators. The locals in the BBC story asked that their names not be used. They feared retaliation for taking their concerns public, that their coal mining jobs would be jeopardized if they were found talking trash about the company store. In the sanctuary of their anonymity, they blame mountaintop removal for devastating the landscape and polluting the waterways. A report by the Environmental Protection Agency backs them up, estimating that more than 2,000 miles of streams – a distance longer than the Mississippi River – have been buried by the excess rock and soil that is dumped after explosives are detonated on the mountaintops so that coal, buried deep below the surface, can be excavated. That, says Professor Michael McCawley, an environmental engineer, “increases the concentration of acidic ions and metals (in the water), things like arsenic and nickel.”

Commentary: West Virginia knows how to build big bridges Every once in a while, we get letters from school children in other states asking readers to send them information for class projects they are doing. Typically, a student is assigned a state and sends letters to newspapers there. On Wednesday we received such a letter from Leo, a third-grader at The Langley School, a private school in McLean, Virginia. Leo asked for items such as post cards, maps, pictures, newspaper articles or similar material about West Virginia that he could use in his project. So I got to thinking, what would I tell Leo that would be unique about West Virginia? I'm a transplant from Ohio, so I probably see things differently than a native would. What would a person who voluntarily moved here say about West Virginia to a child who may never have set foot in this state? Coal miners? That's been done, and it's totally stereotypical. Pepperoni rolls? No one south of Clarksburg cares. Hydraulic fracturing of gas wells? The technique was pioneered in West Virginia, but it may be a bit much for a third-grader in an East Coast school to grasp. Celebrities? Every state has those, and a third-grader probably has no idea who Don Knotts, Soupy Sales and Dagmar were. The legend of the Mothman? Please, no. So what one good thing would I tell Leo about West Virginia that he hasn't heard already or won't hear from someone else? Actually, there is something we do well here, and that's build bridges. The New River Gorge Bridge was an engineering marvel when it opened more than 40 years ago, and it still is. The East Huntington bridge was the first of its design over the Ohio River and one of the first in the entire United States. The same goes for the Ohio River bridge over Blennerhassett Island. Construction has begun on a new bridge at Wellsburg; it will be the first basket handle design bridge over the Ohio...

### ***ASSOCIATED PRESS (W. Va.)***

Judge dismisses lawsuit against West Virginia hemp farm CHARLESTON, W.Va. (AP) — A judge has dismissed a federal lawsuit against a West Virginia hemp farm. The Charleston Gazette-Mail reports the ruling was issued Wednesday in a case brought by U.S. Attorney Mike Stuart against a Mason County farm. Stuart had argued the farmers violated the federal Controlled Substance Act when they purchased their seeds in Kentucky instead of internationally. U.S. District Judge Robert Chambers ruled that Congress passed a bill before the seeds were shipped that made it clear that lawmakers did not want enforcement agencies interfering with industrial hemp. Chambers wrote, “Quite simply, industrial hemp is not a controlled substance under the CSA.”...

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# MARYLAND

## **BALTIMORE SUN**

Baltimore lawmakers push legislation to get tougher on lead poisoning (Saturday) With hundreds of children still poisoned by lead each year in Baltimore, city lawmakers are pushing for a series of bills in Annapolis to get tougher on landlords, sue lead paint companies, conduct better state investigations and fix lead-contaminated school drinking fountains. On Friday, Baltimore's House delegation voted to endorse two proposals to try to curb lead poisoning: one that would tighten restrictions to try to make sure landlords aren't renting properties with chipping lead paint and another that would open up lead paint companies to lawsuits to pay for remediation programs. Del. Nick J. Mosby and Sen. Jill P. Carter, both of West Baltimore, are sponsoring legislation that would permit lawsuits in Baltimore courts against manufacturers of lead paint whether or not a specific company's product can be proved to have poisoned a specific person. Such legislation has been introduced — and killed — repeatedly in Annapolis over the past two decades, in the face of staunch industry opposition. But Mosby said Friday that he will continue to push for the legislation every year while he's in office. While the number of lead poisoning cases has fallen significantly since 2002, thousands of Maryland children have been poisoned in the past decade, their brains exposed to a contaminant that causes lasting learning and behavioral problems. In 2017 alone, 2,049 Maryland children younger than 7 tested positive for lead poisoning — including 789 kids from Baltimore. "Young children in the city of Baltimore are still being impacted by lead paint poisoning. It's unconscionable. .... It's something we need to address," Mosby said. "It's not for us to decide. It's for us to allow the court to decide. The manufacturers of lead paint have not paid a penny." The city's House delegation also voted unanimously to back a bill sponsored by Baltimore Del. Samuel I. Rosenberg that would disallow a landlord from repossessing property for failure to pay rent unless the property owner has provided documented proof it is free of chipping lead paint...

Blog: With electric ferries, Maryland won't need for a third bay bridge (Friday) Gov. Larry Hogan has more pressing matters — saving Pimlico Race Course, keeping the Preakness in Baltimore, working with the General Assembly to get Maryland up to full speed on funding public education — but since he's put the idea of a third Chesapeake Bay bridge out there, allow me to make a suggestion: Forget it. There's no need to build it, and no need to spend millions planning for it. It's good that Maryland has a governor with vision. He's just looking in the wrong direction — toward the 20th Century, instead of the 21st. If we want additional bay crossings, we could get them — three or more of them, in different locations, and within the next few years — without spending upwards of \$10 billion to build another bridge a decade or two from now. The governor should take a serious look at ferries. And not noisy, diesel-powered, carbon dioxide-emitting ferries, but quiet, clean, battery-powered ferries. We could have a whole fleet of them deployed up and down the bay over the next decade, taking people, cars, trucks and dogs between any of many feasible points — from Baltimore to Rock Hall, from Sparrows Point to Tolchester, from Edgewater to Romancoke, from Edgewood to Betterton, from Chesapeake Beach to Cambridge. Before the bridges, ferries took Marylanders across the bay. They could again. As we move away from fossil fuels and develop new sources of electricity, a 21st Century ferry system would leave a light mark on the environment, provide more (and more pleasant) route options for travelers, and relieve some of the congestion on the Route 50 bridges...

Tips from a master gardener with spring around the corner

## **SALISBURY DAILY TIMES**

Sea level rise stunting market for Eastern Shore coastal homes, according to new study Maryland has already lost over half a billion dollars in property value because market growth has been impeded by increased tidal flooding linked to sea level rise, according to a new study. Crisfield, Ocean City and West Ocean City top the chart for the state with a combined \$87 million in unrealized growth from 2005 to 2017. The study, by Brooklyn nonprofit First Street Foundation, does not measure a decline in home values. Instead it looks at property value appreciation, calculating how much more home values would have risen without the impacts of tidal flooding. The analysis concluded that property values in the Mid-Atlantic region would be worth almost \$900 million more without tidal flooding increases over 12 years. "Sea level rise, it is such a stealthy phenomenon," said Jeremy Porter, data consultant at First Street Foundation and one of the study's authors. "It is something that gets hidden in a good market."

The research compares homes that are impacted by tidal flooding to similar properties not affected. It doesn't use information on past flooding events to measure flood risk of homes. Instead, data scientists at First Street Foundation

used a digital model of each property's elevation and compared that with the water table height based on local tide gauges. That showed them at risk properties. They used county information on real estate transactions to find out if the flood risk impacted value, said Porter. It's some of the first research that looks at ways that property values have already been affected by climate change. But some Eastern Shore locals are skeptical about the study's findings, particularly in the real estate industry. "It sounds off base," said Joe Wilson, president-elect of the Coastal Association of Realtors in Maryland. "I don't think it (the market) has to do with sea level rise."...

### WBOC-TV SALISBURY/DELMARVA

Eastern Shore Native Becomes Head of Maryland DNR ANNAPOLIS, Md. - Just in time for International Women's Day, an Eastern Shore native is now the leader of Maryland's Department of Natural Resources (DNR). Jeannie Haddaway has been appointed the new DNR secretary - the largest government agency in the state. She isn't new to the state - Haddaway was once a Maryland delegate, representing several mid-shore counties for more than 12 years. Haddaway was also a candidate for Lieutenant Governor, serving alongside candidate David Craig in the 2014 Governor's race. As Maryland DNR's first female secretary, her duties cover everything from state parks management to Chesapeake Bay restoration. On Friday, a board of green 'YES' votes sprawled across the Senate board, ending in a vote 45 to 1 in favor of the Talbot County native's position to lead DNR. The one 'NO' vote came from Democratic Senator Paul Pinsky of Prince George's County, who cited concerns with Haddaway's involvement in department staffing and using fact-based science. But watermen like Rob Newberry, who sat in Senate Chambers on Friday, are standing by Haddaway. "She's always been fair," Newberry said. "At the end of the day, the truth of the science will prevail and I'm sure she'll carry that forward as the new Secretary of DNR." Eastern Shore scientists also say they're ready to continue a strong relationship with the former delegate. "With Secretary Haddaway, we've known her for a long time, so it just makes the relationship that much smoother," Dave Nemazie, a UMCES scientist, said. Environmentalists also from the Eastern Shore say they're excited to see Haddaway take on the new role. "Moving forward she'll continue good work with the department and hopefully with a special spotlight on the Eastern Shore," Matt Pluta, a riverkeeper with the ShoreRivers organization in Easton, said. Haddaway said in a statement that she was grateful for the overwhelming support. Friday's vote is an official induction for Haddaway, who started her duties last month.

### ANNAPOLIS CAPITAL GAZETTE

Letter: Getting it right As Anne Arundel County's first environmental policy specialist, I was pleased to see Editorial Board elevate the environment by endorsing the transition team's call for a new department of the environment (*The Capital*, March 4). Across the county, residents are demanding more accountability from our government and far greater protections for our environment. Our creeks, streams, forests, air and the Chesapeake Bay need voices at the table. I believe that we have an opportunity to hand down an environmental legacy to future generations that we can all be proud of — but only if we get it right. And getting it right requires carefully studying all our options. I believe that sound policy only comes from sound analysis. County Executive Steuart Pittman agrees and has asked me to prepare a report on the feasibility of creating a new department devoted to the environment. We need to know how much a new department and all other alternatives would cost. We need to know what other jurisdictions have done, and learn from their choices. We need to know what responsibilities would be given such a department, and the impact that moving those responsibilities would have on our other departments. Simply put, we need to do the due diligence that you expect your government to do. There are many other good environmental recommendations from our transition report that the administration is exploring. We look forward to working with stakeholders to make Anne Arundel County a leader in environmental protection, restoration and accountability.

Letters: Asking about citizenship; considering a department of the environment On March 6, a lower court ruled for the second time that it is unconstitutional to ask recipients of the 2020 census questionnaire if they are United States citizens. While it may be wrong for the U.S. government to ask that question administrators of Anne Arundel Community College find it entirely appropriate. I recently registered for a course at the college and one of the questions on the registration form was: "Citizenship (select one) REQUIRED." Yes, the word "required" was bold and all-caps, assumedly so it would not be ignored. The choices were: "I am a citizen of the United States," "I am a permanent alien resident\*," (\*Original [sic] documentation must be submitted in person) and "I have a visa, (list) visa type." The need for this differentiation, I was told, is to impose different fees on those who are not U.S. citizens. Well, well, well! On one hand, we have the United States government being thwarted in its attempt to count its citizens while on the other hand, a

local government is unashamedly open about its discrimination based on citizenship, which allows it to collect higher fees. I'm no lawyer but I do see more than a little hypocrisy here. Maybe someone should tell the president he can start the 2020 census at AACC as I'm sure they have a partial list of citizens enrolled there. And after AACC he could query other local governments around the nation regarding their citizens. Granted, this would take a lot longer than the usual census but it might create a more equitable division of economic and political power that the census is designed to delineate.

### CHESAPEAKE BAY JOURNAL

Exelon, MD spar over who is responsible for nutrients passing over dam A Maryland official called the pending relicensing of Conowingo Dam a “once in a generation” chance to hold its owners accountable for the environmental impacts the 94-foot-high structure has on the Susquehanna River and Chesapeake Bay. But a representative of Exelon, the utility that owns the hydroelectric facility, said it had already pledged more than \$300 million to mitigate the dam’s impacts over the coming decades and the state was trying to force it to pay billions more to fix problems it didn’t cause. Most of the recent debate between the two parties has taken place in court since Exelon sued Maryland last May over conditions the state sought to place on the company’s request for a new 46-year operating license. But representatives from each side also sought to make their case in public at a January meeting of the Chesapeake Bay Commission, a body of state lawmakers and other officials that advise general assemblies in the Bay region. The 91-year-old hydroelectric dam is located in Maryland about 5 miles south of the Pennsylvania border and 10 miles upstream from where the Susquehanna flows into the Bay. The dam looms as a major obstacle for Bay cleanup efforts, largely because the 14-mile reservoir it creates has reached its capacity to trap sediment from upstream sources that flows down the river. As a result, the nutrients associated with that sediment now flow into the Chesapeake, where they can spur algae blooms and contribute to other water quality woes. The state-federal Bay Program partnership has estimated that additional annual reductions of 6 million pounds of nitrogen and 260,000 pounds of phosphorus are needed to offset the impact of the dam’s lost trapping capacity. That would be roughly an additional 5 percent reduction for a river where upstream nutrient control efforts in Pennsylvania are already far behind schedule. The U.S. Environmental Protection agency in February began requesting applications from entities interested in developing a plan to tackle the problem...

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## VIRGINIA

### RICHMOND TIMES-DISPATCH

Column: State investments continue, rivers come off the 'dirty waters list' For years, a movement to clean up waterways has been underway across Virginia. Science repeatedly shows that it’s making progress, as recently evidenced by the 362 miles of rivers and streams just removed from Virginia’s “dirty waters list.” And this movement has broad bipartisan support, leading to a big boost from the General Assembly in the session that just wrapped up. At first look, the movement’s many actions seem unrelated: Outside Waynesboro, a farmer fences cattle out of a stream and plants native trees along the waterway. In Richmond, the city’s wastewater treatment plant installs upgrades that keep excess nitrogen and phosphorus from polluting the James River. Near Williamsburg, James City County officials build a rain garden and construct wetlands in a neighborhood once plagued by flooding and polluted runoff. But those incremental efforts are combining to result in healthier streams and rivers, and water quality improvements in the Chesapeake Bay. They’re part of what could be a great environmental success story: the Chesapeake Clean Water Blueprint, a focused multistate effort to clean up the region’s waterways. Beyond clean water, the numerous benefits include revitalized communities, support for local economies, human health benefits, climate change mitigation, and better fishing, boating and swimming... While the investments Virginia has made so far have led to measurable benefits, there’s a long road ahead to restoring these waterways. Some of the biggest challenges remain, such as reducing polluted runoff from developed areas and farms. Local governments and Soil and Water Conservation Districts in Virginia have been working hard to develop future restoration efforts with DEQ in their local clean water plans, known as Phase III Watershed Implementation Plans. This will be critical to continuing a trend toward clean water in the commonwealth. That’s why it’s great news that Virginia’s elected officials are supporting programs that tackle these very problems. And it’s

encouraging to see how many people across the commonwealth are joining in the movement for clean water. DEQ's report shows that we're on the road to a big win. With the support of Virginia's residents and elected officials, the clean water movement can succeed.

### **NORFOLK VIRGINIAN PILOT**

US, Virginia settle Portsmouth industry cleanup cost (Friday) PORTSMOUTH, Va. — The United States and Virginia have entered an agreement under the Environmental Protection Agency (EPA) about the cleanup costs for a Superfund Site in Portsmouth. Virginia will recover nearly \$64 million to address cleanup costs at the Atlantic Wood Industries (AWI) Superfund Site which is located just north of the Norfolk Naval Shipyard's Southgate Annex. It's where a former wood treating facility was, which includes about 50 acres of land and more than 30 acres of river sediments. In a proposed consent decree filed Thursday in federal court, the U.S. Department of Defense (DoD) and the Department of the Navy will pay the EPA \$55.3 million for cleanup costs, and pay Virginia \$8.5 million for past costs, and future activities Virginia will conduct at the site. Along with cleanup costs, DoD and the Navy will fund a \$1.5 million oyster restoration project to be implemented by Virginia in the Southern Branch of the Elizabeth River. Since 2010, the EPA has been cleaning up the site of hazardous substances, including polycyclic aromatic hydrocarbons from creosote, pentachlorophenol, and associated dioxin, as well as heavy metals present in soils, groundwater, and sediments.

### **VIRGINIA MERCURY**

How the General Assembly failed Virginia again on clean energy When the General Assembly session opened Jan. 9, legislators were presented with dozens of bills designed to save money for consumers, lower energy consumption, provide more solar options and set us on a pathway to an all-renewables future. Almost none of these measures passed, while bills that benefited utilities kept up their track record of success. Before I review the individual bills, it's worth considering for a moment how very different Virginia's energy future would look if the best of 2019's bills had passed. In that alternate universe, Virginians could have looked forward to: ...

### **VIRGINIA PUBLIC RADIO**

Va. News: Public investment in privately owned rail, Coal-fired power plants go off line Two more coal burning power plants have gone offline in Virginia as producers move toward other fuels. And passenger rail service is growing in the state thanks largely to public investment in private companies...

Plastics WERE the Future, But Not Anymore Washington gets a lot of bad publicity for partisan gridlock, and there's certainly a lot of that. But two freshman Virginia lawmakers from different parties are working together to crack down on financial crimes. Meet Washington's new odd couple: Congressman Denver Riggleman and Congresswoman Jennifer Wexton. He's in the Freedom Caucus. She's in the New Democrat Coalition. They're both freshman members of the Financial Services Committee, where they're working together on a bill to modernize the Financial Crimes Enforcement Network. Riggleman says part of that is making sure the federal government is working with tribal law enforcement agencies. "If you talk about native tribes, they are a completely different federal entity. We don't have effective information sharing for tracking those people who would be using illicit finance for things like drug trafficking, human trafficking, sex trafficking." Wexton says the bill also gives the federal government authority to look at domestically funded terror groups, like white supremacists. "And there are other domestic terror groups, things like the Animal Liberation Front is one that used to be engaging terrorism activities." The bill would also create new authority for the Financial Crimes Enforcement Network, which is part of the Treasury Department, to follow the virtual money — bitcoin and other cryptocurrencies...

### **FALLS CHURCH NEWS PRESS**

VPIS Grants Offered for Stormwater Abatement (Friday) The Falls Church Village Preservation and Improvement Society is making grants to City of Falls Church residents for projects to reduce stormwater runoff, it was announced this week. Grants are available for projects to install rain gardens or conservation landscapes and for purchase of rain barrels to store rain water. The grants are part of the RainSmart program implemented by VPIS with support from the City of Falls Church. The program is intended to help City residents implement practices, such as rain barrels and rain gardens, that help rainwater soak into the ground on-site to prevent flooding and protect water quality locally and in the wider Chesapeake Bay watershed. The program also includes public information and outreach programs to promote

stormwater management. An easy step that local residents can take to manage stormwater is to install rain barrels to catch runoff from roofs. Under the RainSmart program, City residents can apply for grant funds for up to two rain barrels with a limit of \$50 for each barrel. Some residents may want to use this grant at rain barrel workshops in the region sponsored by the Northern Virginia Soil and Water Conservation District. Workshops are scheduled for March 10 and 30, April 5 and 6, and May 25.

### **LOUDOUN TIMES-MIRROR**

Department of Environmental Quality says no contamination at Gable Farm site in Hamilton (Friday) The Virginia Department of Environmental Quality has ruled that there is no evidence of material contamination at the Gable Farm "personal recreation field" east of Hamilton in Loudoun County. In the meantime, the county is seeking a corrective plan from the property owner to address the stockpile for top dirt and asphalt millings, which are considered for commercial use and violate the approved plan. The inquiry comes after the 18-acre property originally approved as "personal recreation field," or a polo field, turned into a stockpile, according to the county officials. Yet, DEQ Land Protection and Revitalization Program Manager Richard Doucette said, "Based on what we saw, we didn't see anything that would be considered a violation." DEQ officials said the fill at the property contains soil, bricks, asphalt, concrete and rocks. Additionally, a nominal amount of woody vegetation, silt fence fabric and a lightweight plastic called polyvinyl chloride was found. Staff did not observe any evidence of contamination such as an oily sheen or chemical odor. DEQ's assessment follows a video published at [LoudounRuralLandfills.com](http://LoudounRuralLandfills.com) that was released in late February. The video describes the site as "intrusive, potentially harmful and potentially very lucrative." The creators questioned the land use approval and whether there could be similar issues at other sites if the county doesn't adopt stronger regulations. Residents in the area have questioned the height, volume and contents dumped on the "personal recreational field." They have also voiced concerns about the surface and ground water quality at the farm. "I'm not particularly pleased with what DEQ said, but it's not my call," Town of Hamilton Mayor David Simpson said, adding that one of the areas he and his citizens are concerned with is the amount of asphalt and the water leaking from the site. County officials sent the property owner at least two violation notices in 2017 and 2018 and told him to discontinue all activities until corrections were addressed...

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## MISCELLANEOUS

### **BLOOMBERG ENVIRONMENT**

Kavanaugh Ruling May Doom EPA Coolant Limits A prior ruling on climate-warming coolants may tie the hands of federal appeals judges—even if they agree with chemical makers in support of limiting those coolants. Judges on the U.S. Court of Appeals for the District of Columbia Circuit appeared sympathetic March 8 to arguments from major chemical producers Honeywell Inc. and The Chemours Company, as well as the Natural Resources Defense Council, that the Environmental Protection Agency has authority to restrict the use of the coolants under the Clean Air Act. But the three judges—Judges Judith W. Rogers, Robert L. Wilkins, and Harry T. Edwards—also raised significant questions during the arguments about whether they could support the EPA rule in light of a 2017 D.C. Circuit ruling vacating in large part a similar coolant regulation. At issue in the case is a second Obama-era regulation limiting hydrofluorocarbons, or HFCs—refrigerant chemicals that are greenhouse gases hundreds of times more potent than carbon dioxide...

Pentagon May Chuck Environmental Rules to Clear Border Wall When President Donald Trump tapped the military to build his signature wall along the border with Mexico, the Pentagon zeroed in on what looked like a project of opportunity -- 37 miles along a drug-smuggling route in Arizona where, most importantly, it already owned the land. With Trump eager for results, the Navy started planning work on a 30-foot steel bollard barrier along its Barry M. Goldwater bombing range at an estimated cost of \$450 million. But there was a catch: unlike the Department of Homeland Security, which typically handles border barrier projects, the Defense Department can't waive environmental regulations that can entail months or years of reviews...

### **GREENWIRE / E&E NEWS**

Dems plan review of EPA's 'loose implementation' of safety law (Friday) A House Energy and Commerce panel this week

will question EPA's protection of workers exposed to toxic chemicals. "Protecting vulnerable populations is an essential part of EPA's mission, but under this administration, the agency has systematically undervalued or completely overlooked the risks workers face from exposure to chemicals on the job," full committee Chairman Frank Pallone (D-N.J.) and Environment and Climate Change Subcommittee Chairman Paul Tonko (D-N.Y.) said in a joint statement. "Workers should not have to choose between their health and their jobs," they continued. "We will get to the bottom of this situation and do what it takes to hold the EPA accountable and ensure all our workers are safe." A memo said the hearing will address "how workers are being harmed as a result of the Environmental Protection Agency (EPA) systemically ignoring exposure risks in its loose implementation of the Frank R. Lautenberg Chemical Safety Act and other laws."...

Air Pollution: Rule scraps continuous monitoring obligation at power plants (Friday) States will no longer have to require power plants and other large polluters to track their summertime releases of nitrogen oxides through "continuous emission monitoring systems," under an EPA rule that takes effect today. The final rule, which makes only minor changes to the proposal unveiled last September, scraps a mandate that dates back to a Clinton administration program for states to curb emissions of nitrogen oxides (NOx) that contribute to downwind ozone formation outside their borders. The program, known as the NOx SIP Call, applied to 20 states, mostly in the eastern U.S., as well as the District of Columbia. Under the new rule, those states have the option of dropping the continuous monitoring requirement in favor of unspecified alternatives. EPA predicts that the move could save affected industries a total of \$1.2 million to \$3.3 million annually without affecting emissions or air quality. The change appears to have originated in a 2017 claim by the Association of Air Pollution Control Agencies, which mainly represents regulators in Republican-leaning states, that the continuous monitoring requirement was "overly burdensome" and costly to businesses outside the power sector (*E&E News PM*, Sept. 14, 2018). Clint Woods, the association's executive director at the time, is now deputy chief of EPA's air office...

EPA advisers blast draft soot assessment (Friday) An EPA advisory panel has issued a scathing critique of a draft agency assessment that had offered support for tightening national ambient air quality standards for fine particulates. In a preliminary report posted online yesterday, the Clean Air Scientific Advisory Committee said that the draft assessment failed to look comprehensively at all available research and did not follow "widely accepted scientific methods for deriving sound, independently verifiable, scientific conclusions from available data." The draft also lacked "scientific support for policy deliberations and decision-making" and used "unverifiable opinions to draw major policy-relevant conclusions," according to the preliminary report. The seven-member committee, usually known by its acronym, CASAC, urged EPA to produce a second draft. The panel has scheduled a public teleconference for March 28 to discuss the preliminary report, described as "a work in progress." In an email exchange last night, CASAC Chairman Tony Cox said the document is not final until committee members approve and send it to EPA Administrator Andrew Wheeler...

Science: EPA shaking up research office with reorganization (Friday) EPA plans to consolidate its research office, combining several of the agency's science programs into a smaller, more streamlined division. EPA's Office of Research and Development released its reorganization plan yesterday afternoon to staff across the country in a town hall meeting. Slides obtained by E&E News show the extent of the changes, which will be the research office's first major reorganization in more than 20 years. Under the proposal, the research office's 13 units will merge into eight. The Office of Science Policy and the Office of the Science Adviser will combine along with the National Center for Environmental Research's scientific and technical staff to form the Office of Science Adviser, Policy and Engagement, which will report directly to the head of the research office...

The rollback that automakers don't want (Friday) The White House held a call with automakers last month urging them to publicly support its rollback of Obama-era clean car rules, multiple news outlets reported yesterday. Joining the call were senior officials from EPA and the National Highway Traffic Safety Administration, who told automakers to support the rollback or risk angering President Trump by siding with California's more stringent tailpipe emissions rules. But since the call, not one automaker has issued a statement of support. That begs the questions: If the automakers don't want the rollback, who does? And how did things get to this point? The answers are complicated, and they illustrate the perils of peeling back regulations without adequately consulting the main industry that stands to be affected...

Democrats to grill Interior, EPA over FOIA The Trump administration this week will face its first grilling in the



Democratic-controlled House on its handling of the nation's premier public records law. On Wednesday, the House Oversight and Reform Committee will hold a hearing on the Freedom of Information Act. The transparency law, more than 50 years old, has long been used by journalists and activists to pry records loose from federal agencies. FOIA requests for documents have surged under the Trump administration, and once released, those records often have detailed embarrassing fodder regarding some of the president's top officials. Rep. Elijah Cummings (D-Md.), the committee's chairman, has been a watchdog on FOIA, championing legislation in Congress to strengthen the public records law. On Friday, Cummings accepted an award at the National Freedom of Information Day Conference for his work pushing the 2016 amendments to the act, which were signed into law by President Obama. In a speech accepting his award, Cummings said he decided to keep FOIA and federal records law under the purview of the full Oversight Committee so that "I give them my close, personal, microscopic attention. Amen," adding, to laughs from the audience, that he was the son of two preachers.